

REMARKS

Reconsideration of the present application is respectfully requested. In the Office Action, claims 1-28 were pending. Claims 1-28 were rejected.

Examiner rejected claims 1-2, 6, 8-9, 15, 18, 21-22, and 25 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,239,837 to Yamada et al. in view of U.S. Patent Publication No. 2002/0054212 to Fukuoka.

With respect to claim 1, the Applicants claim “upon connection of a data capture device to a host device that is capable of communicating with said data capture device, automatically verifying that a connection has been established between said data capture device and said host device and automatically initiating a transfer of information from said data capture device.” Applicants respectfully disagree with the rejection because the references fail to teach, alone or in combination, automatically transferring data to a host device upon connecting a data capture device to the host device.

Yamada describes a digital camera that can store pictures in a main memory or, in the case that an auxiliary memory card is connected to the camera, the camera preemptively stores pictures in the auxiliary memory (Yamada, column 5, lines 32-35 and column 9, lines 36-40). But if an auxiliary memory is attached to the camera after pictures are stored in the main memory, a user can press a button to transfer pictures in the main memory to an auxiliary memory card (Yamada, column 11, line 59 to column 12, line 11). Furthermore, the Examiner admitted in the office action that “[w]hen the microprocessor (MPU1) detects that the select switch (34) is pushed by a user, the microprocessor (MPU1) instructs the microprocessor (MPU2) to perform processing for a copying mode (col. 7, lines 18-24)” (emphasis added)(Office Action , page 2). The Examiner then argues that if the camera is operated when the camera is in the copy

mode, then copying is automatically initiated by the microprocessors (Office Action, page 3).

The Applicants respectfully disagree. If an auxiliary memory card is connected to the camera described by Yamada, the camera initially and preemptively stores an image in the auxiliary storage medium. Yamada then describes that the camera can be manually selected by a user to copy pictures from one memory to another (Yamada, column 11, line 59 to column 12, line 11). Further, once all pictures have been copied, the copy mode is terminated (Yamada, column 11, lines 51-57; Figure 5, steps S68, S70). Thus, Yamada merely describes copying pictures from one source to another when manually prompted by a user.

Furthermore, Fukuoka merely describes a digital camera capable of having multiple input types (Fukuoka, Abstract and Paragraph 32). The camera includes common digital camera controls that can be manipulated by a user, either in person or remotely (Fukuoka, Paragraphs 33-34). But, the user must still manually initiate operations on the camera, such as data transfer, by interacting with the camera's controls.

Whereas the applicants describe automatic image transfer upon connection to a host device, both Yamada and Fukuoka require a user to manipulate controls of a camera before images are transferred. Therefore, neither Yamada nor Fukuoka teach or suggest, alone or in combination, automatically transferring data to a host device upon connecting a data capture device to the host device as claimed in claim 1. Furthermore, because claims 2, 6, and 8-9 contain features that further limit independent claim 1, claims 2, 6, and 8-9 are also not rendered obvious under 35

U.S.C. § 103(a) over Yamada in view of Fukuoka. Thus, the Applicants respectfully request withdrawal of the rejections.

With respect to claims 15, applicants claim “upon connection of a first device to a second device ... enabling automatic initiation of a transfer of information from said first device to said second device.” The applicants respectfully submit that Yamada and Fukuoka fail to teach or suggest, alone or in combination, automatic initiation of data transfer from a first device to a second device upon connection of the first device to the second device, as claimed in claim 15.

Similar to the discussion above, Yamada merely describes storing data preemptively in an auxiliary storage medium, or upon manual direction of a user, copy files to an auxiliary storage medium. Furthermore, Fukuoka describes a camera that can be connected to various devices but also must be manually selected to initiate data transfer. Thus, for reasons similar to those discussed above, neither Yamada nor Fukuoka, alone or in combination, teach or suggest automatic initiation of from a first device to a second device upon connection of the first device to the second device.

Therefore, for reasons similar to those discussed above, claims 15, 18, 21-22, and 25 are not obvious under 35 U.S.C. § 103(a) over Yamada in view of Fukuoka. The Applicants respectfully request withdrawal of the rejections.

The Examiner rejected claims 3-5, 7, 10-14, 16-17, 19-20, 23-24, and 26-28 under 35 U.S.C. § 103(a) as being unpatentable over Yamada in view of Fukuoka and further in view of U.S. Patent No. 6,630,954 to Okada. The Applicants respectfully disagree with the rejection because the combination of Yamada, Fukuoka, and Odaka, alone or in combination do not teach or suggest each and every element of the invention

as claimed in claims 3-5, 7, 10-14, 16-17, 19-20, 23-24, and 26-28. As discussed above, neither Yamada nor Fukuoka teach or suggest each and every element of independent claims 1 and 15, from which 3-5, 7, 10-14 and 16-17, 19-20, 23-24, and 26-28 respectively depend. Further, Okada merely describes LEDs that indicate the status of an image deletion method for a digital camera (Okada, column 2, line 54 to column 3, line 10). Thus, Okada also fails to teach or suggest automatically initiating data transfer upon connecting one device to another, as claimed in claims 1 and 15. Therefore, claims 3-5, 7, 10-14 and 16-17, 19-20, 23-24, 26-28, which dependent from independent claims 1 and 15, respectively, are also not taught or suggested by the combination of Yamada, Fukuoka, and Okada.

SUMMARY


Applicant respectfully submits that in view of the discussion set forth herein, the applicable rejections have been overcome. Accordingly, claims 1-28 should be found to be in condition for allowance.

If a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Judith Szepesi at (408) 720-8300.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 10/21, 2005



Judith A. Szepesi
Reg. No. 39,393

Customer No. 08791
12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025
(408) 720-8300